

solutions to a variety of concerns. This revised version of the bill reflects those discussions and I wish to express my personal thanks to those who participated. The significant changes in this version of the bill include the following:

## TITLE I

Use of existing administrative system to disperse fees. At the request of the States, the bill requires the Secretary of the Interior to use the existing mine cleanup fund disbursement system under the Surface Mining Control and Reclamation Act (SMCRA). This will help facilitate the administration of the fund under the bill, reduced duplication and improve efficiency. For States that do not have a program under SMCRA, the Secretary is authorized to disperse funds in those eligible States as long as those States have a State-authorized abandoned mine cleanup program."

Allocation of funds to the States. The bill specifies that 25 percent of the funds collected by the fee shall go back to the States where such fees originated; 50 percent of the funds collected annually will be expended in eligible States in relation to the extent of mining activity that occurred in those States during the years 1900 to 1980 (that is, from the turn of the last century until enactment of Superfund (more formally, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)); and the balance of the fund will be used elsewhere at the discretion of the Secretary.

Fee Off-set in case a royalty is applied. During the discussions over the bill, the mining industry expressed concerns regarding the fee title provision. They indicated that, as a general matter, the industry is not opposed to helping fund the cleanup of abandoned mines, but they were concerned that in the context of any potential reform of the General Mining Law of 1872, miners may be required to pay a royalty for hardrock minerals extracted from public lands in addition to the fee imposed in this bill and thus subjecting them to paying twice. This bill addresses that concern by providing that a fee collected under this bill would be reduced by an amount equal to any royalty established in the future that is credited to the hardrock reclamation fund.

## TITLE II

Delegation to the States. The bill expressly authorizes the EPA to delegate the authority to issue "good Samaritan" reclamation permits to eligible States. This was done at the request of the States.

Cooperating Parties. At the request of mining community representatives, the bill adds new provisions for "cooperating parties" that would be authorized to assist remediating parties with cleanup work under "good Samaritan" permits. These cooperating parties would also enjoy the liability protections afforded to full remediating parties. This will enable the mining industry to employ its expertise and capabilities to assist in the cleanups.

Long-term Protection. The bill requires that cleanup plans include an obligation that the cleanup efforts will be maintained and operated to ensure continued long-term benefits from work accomplished at each site.

Recoverable Value. At the request of many of the parties in the discussions, the bill allows remediating parties to beneficially use any materials found at the site during the cleanup. These materials could include any residual

hardrock minerals that are present at the site. However, any value recouped from any sale of these materials would have to be used to defray the costs of the cleanup or to help cleanup of other abandoned hardrock mines.

I think these changes are improvements that will further facilitate the cleanup of thousands of abandoned hardrock mines in the West.

## FAMILY EDUCATION FREEDOM ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 5, 2003

Mr. PAUL. Mr. Speaker, I rise today to introduce the Family Education Freedom Act, a bill to empower millions of working and middle-class Americans to choose a non-public education for their children, as well as making it easier for parents to actively participate in improving public schools. The Family Education Freedom Act accomplishes its goals by allowing American parents a tax credit of up to \$3,000 for the expenses incurred in sending their child to private, public, parochial, other religious school, or for home schooling their children.

The Family Education Freedom Act returns the fundamental principal of a truly free economy to American's education system: what the great economist Ludwig von Mises called "consumer sovereignty". Consumer sovereignty simply means consumers decide who succeeds or fails in the market. Businesses that best satisfy consumer demand will be the most successful. Consumer sovereignty is the means by which the free market maximizes human happiness.

Currently, consumers are less than sovereign in the education "market." Funding decisions are increasingly controlled by the federal government. Because "he who pays the piper calls the tune," public, and even private schools, are paying greater attention to the dictates of federal "educrats" while ignoring the wishes of the parents to an ever-greater degree. As such, the lack of consumer sovereignty in education is destroying parental control of education and replacing it with state control. Loss of control is a key reason why so many of America's parents express dissatisfaction with the educational system.

According to a study by The Polling Company, over 70 percent of all Americans support education tax credits! This is just one of numerous studies and public opinion polls showing that Americans want Congress to get the federal bureaucracy out of the schoolroom and give parents more control over their children's education.

Today, Congress can fulfill the wishes of the American people for greater control over their children's education by simply allowing parents to keep more of their hard-earned money to spend on education rather than force them to send it to Washington to support education programs reflective only of the values and priorities of Congress and the federal bureaucracy.

The \$3,000 tax credit will make a better education affordable for millions of parents. Mr. Speaker, many parents who would choose to send their children to private, religious, or

parochial schools are unable to afford the tuition, in large part because of the enormous tax burden imposed on the American family by Washington.

The Family Education Freedom Act also benefits parents who choose to send their children to public schools. Parents of children in public schools may use this credit to help improve their local schools by helping finance the purchase of educational tools such as computers or to ensure their local schools can offer enriching extracurricular activities such as music programs. Parents of public school students may also wish to use the credit to pay for special services, such as tutoring, for their children.

Increasing parental control of education is superior to funneling more federal tax dollars, followed by greater federal control, into the schools. According to a Manhattan Institute study of the effects of state policies promoting parental control over education, a minimal increase in parental control boosts students' average SAT verbal score by 21 points and students' SAT math score by 22 points! The Manhattan Institute study also found that increasing parental control of education is the best way to improve student performance on the National Assessment of Education Progress (NAEP) tests.

Clearly, enactment of the Family Education Freedom Act is the best thing this Congress could do to improve public education. Furthermore, a greater reliance on parental expenditures rather than government tax dollars will help make the public schools into true community schools that reflect the wishes of parents and the interests of the students.

The Family Education Freedom Act will also aid those parents who choose to educate their children at home. Home schooling has become an increasingly popular, and successful, method of educating children. Home schooled children out-perform their public school peers by 30 to 37 percentile points across all subjects on nationally standardized achievement exams. Home schooling parents spend thousands of dollars annually, in addition to the wages forgone by the spouse who forgoes outside employment, in order to educate their children in the loving environment of the home.

Ultimately, Mr. Speaker, this bill is about freedom. Parental control of child rearing, especially education, is one of the bulwarks of liberty. No nation can remain free when the state has greater influence over the knowledge and values transmitted to children than the family.

By moving to restore the primacy of parents to education, the Family Education Freedom Act will not only improve America's education, it will restore a parent's right to choose how best to educate one's own child, a fundamental freedom that has been eroded by the increase in federal education expenditures and the corresponding decrease in the ability of parents to provide for their children's education out of their own pockets. I call on all my colleagues to join me in allowing parents to devote more of their resources to their children's education and less to feed the wasteful Washington bureaucracy by supporting the Family Education Freedom Act.

RECOGNIZING THE 40TH ANNIVERSARY OF THE MEXICAN AMERICAN OPPORTUNITY FOUNDATION AND THE DEDICATION OF THE DIONICIO MORALES MEXICAN AMERICAN HALL OF FAME

**HON. HILDA L. SOLIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 2003*

Ms. SOLIS. Mr. Speaker, I rise today to recognize the 40th anniversary of the Mexican American Opportunity Foundation (MAOF) and the dedication of the Dionicio Morales Mexican American Hall of Fame.

The Mexican American Opportunity Foundation is the largest Latino social-service agency in the United States, and with the leadership of Mr. Dionicio Morales has helped improve the life of thousands of people through essential services ranging from job training and childcare to naturalization services.

In 1963, the Mexican American Opportunity Foundation offered its services to the community of East Los Angeles. Forty years later, this far-reaching program serves families from our San Diego border through Central California.

In celebrating the 40th anniversary, it is appropriate that the Dionicio Morales Mexican American Hall of Fame is committed to Mr. Morales' desire to have Mexican American leaders and other pacesetters recognized for their contributions and place in history. The Dionicio Morales Mexican American Hall of Fame honors those individuals who made the growth of MAOF possible and other Mexican Americans whose leadership has contributed to the rich culture and history of the United States.

Today, I congratulate the Mexican American Opportunity Foundation for forty years of tireless service to our community and honor the noble efforts of Dionicio Morales.

PAYING TRIBUTE TO JAN LEMON

**HON. SCOTT McINNIS**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 2003*

Mr. McINNIS. Mr. Speaker, it is with deep sadness that I rise today to recognize the life and passing of Jan Lemon of Norwood, Colorado. Sadly, Jan passed away in October and, as her family mourns their loss, I would like to pay tribute to her life and the wonderful memories she has left behind.

Jan Lemon was born on November 27, 1960 in Yakima, Washington, where she grew up and graduated High School. After graduating from college in Cheyenne, Wyoming, Jan moved to Ridgway, Colorado, where she made her home and married her husband Dale in 1991. Jan was a Coloradan who loved the land and all the opportunities that our mountains had to offer. She was an avid horsewoman who became a skilled rider, rancher, and roper. She loved spending time with friends and family, and contributed greatly to the quality of life throughout the Norwood community.

Mr. Speaker, it is with earnest respect that I recognize the life and passing of Jan Lemon

before this body of Congress and this nation. I extend my sincere condolences to her parents, Daniel and Marguerite, husband Dale, and daughter Courtney. Jan lived her life to the fullest and was loved and admired throughout the Norwood community. Her loss will be deeply felt and her memory will live on for years to come.

IN MEMORY OF JOHN WELLES

**HON. MARK UDALL**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 2003*

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge the public service of a fine Coloradan, John Welles, who passed away on December 18, 2002. Mr. Welles had a long and distinguished record of public service to Colorado and he will be dearly missed.

John Welles served as the regional administrator for the Environmental Protection Agency for six years under President Reagan. He was a principled public servant who always worked in a bipartisan manner and in a way that respected those with whom he disagreed.

I had the good fortune to know Mr. Welles when I was the executive director of the Colorado Outward Bound School. Among the many qualities that I admired in John, I will most remember his gentle, wise demeanor. He was a kind and public-spirited man whose good work for Colorado will not soon be forgotten. I ask my colleagues to join me in paying tribute to John Welles, a fine public servant and a great Coloradan.

Attached is an article which ran in the Rocky Mountain News on December 20, 2002.

[From the Rocky Mountain News, Dec. 20, 2002]

FORMER EPA AND MUSEUM OFFICIAL JOHN WELLES DIES

(By Erika Gonzalez)

Holly Welles' childhood was filled with an unusual family ritual—each night her father, John, would bring a stack of articles to the dinner table.

"We would go around the table and talk about what we did that day and then he would talk about some key event—something out of a science magazine that he thought was amazing," she said. "Sometimes it was a little much. But he loved to learn and he loved to share."

That zeal for science fueled a remarkable career, including an appointment as regional administrator for the Environmental Protection Agency and a six-year post as executive director of the Denver Museum of Natural History, now the Denver Museum of Nature & Science.

Mr. Welles died Wednesday after a long bout with various illnesses. He was 77. A memorial service will be held at 11 a.m. Jan. 3 at St. John's Cathedral.

Born in Lexington, V.A., Mr. Welles attended Yale university, earning a degree in electrical engineering in 1946. After serving in the U.S. Marine Corps, he returned to the University of Pennsylvania, where he received a master's degree in business.

Mr. Welles began his career in the private sector, but in 1956, he joined the Denver Research Institute at the University of Denver, heading up the institute's Industrial Economics Division.

During a sabbatical from DU in 1971, Mr. Welles took his family to Geneva to help plan the first United Nations Conference on

the Human Environment. "He was always concerned about air pollution and population problems," his daughter Holly explained.

Those interests hit home locally, when Mr. Welles worked with Gov. Richard Lamm on the Front Range Project, a process to protect Colorado's quality of life in the face of rapid population growth. Later, at this EPA post, Mr. Welles helped resolve conflicts concerning the Rocky Mountain Arsenal and Rocky Flats.

Though Mr. Welles also served as vice president of planning and public affairs for the Colorado School of Mines, Holly says her father enjoyed his tenure at the museum most. Under his leadership, the Museum landed one of its most popular traveling exhibits ever, "Ramses II: The Pharaoh and His Time." Mr. Welles also created the permanent Prehistoric Journey exhibit before retiring in 1994.

"He enjoyed discussing scientific elements and he enjoyed engaging and challenging the scientists," said museum board member Chuck Hazelrigg.

Surviving, including his wife, Barbara, are children Ginny Welles of Lincoln, Mass., Deborah Welles of Denver, Barton Welles of Ross, Calif., and Holly Welles of Mill Valley, Calif.; and six grandchildren.

Contributions can be made to the Hemlock Society, P.O. Box 101810, Denver, CO. 80250; and the John Welles Memorial Fund at the Denver Museum of Nature & Science, 2001 Colorado Blvd., Denver.

TEACHER TAX CUT ACT AND PROFESSIONAL EDUCATORS TAX RELIEF ACT

**HON. RON PAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 2003*

Mr. PAUL. Mr. Speaker, I am pleased to introduce two pieces of legislation that raise the pay of teachers and other educators by cutting their taxes. I am sure that all my colleagues agree that it is long past time to begin treating those who have dedicated their lives to educating America's children with the respect they deserve. Compared to other professionals, educators are underappreciated and underpaid. This must change if America is to have the finest education system in the world!

Quality education is impossible without quality teaching. If we continue to undervalue educators, it will become harder to attract, and keep, good people in the education profession. While educators' pay is primarily a local issue, Congress can, and should, help raise educators' take home pay by reducing educators' taxes.

This is why I am introducing the Teacher Tax Cut Act. This legislation provides every teacher in America with a \$1,000 tax credit. I am also introducing the Professional Educators Tax Relief Act, which extends the \$1,000 tax credit to counselors, librarians, and all school personnel involved in any aspect of the K-12 academic program.

The Teacher Tax Cut Act and the Professional Educators Tax Relief Act increase the salaries of teachers and other education professionals without raising federal expenditures. By raising the take-home pay of professional educators, these bills encourage highly qualified people to enter, and remain in, education. These bills also let America's professional educators know that the American people and the Congress respect their work.